

TO: **Mail Stop 8**  
**Director of the U.S. Patent and Trademark Office**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**REPORT ON THE  
 FILING OR DETERMINATION OF AN  
 ACTION REGARDING A PATENT OR  
 TRADEMARK**

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been  
 filed in the U.S. District Court Southern District of New York on the following ☒ Patents or ☐ Trademarks:

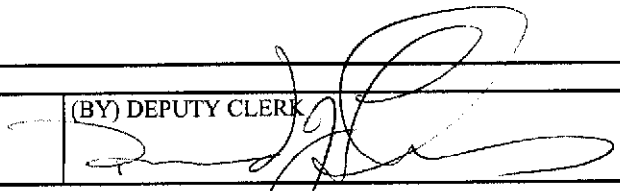
DOCKET NO. 11 cv 1324 (NRB)2/25/11	DATE FILED 2/25/11	U.S. DISTRICT COURT Southern District of New York
PLAINTIFF RATES TECHNOLOGY INC.		DEFENDANT COX COMMUNICATIONS, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 See Attached List		See Attached List
2 5,425,085		
3 5,519,769		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
2			
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4			
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT  
 Attached: COPY OF NOTICE OF DISMISSAL.

CLERK Ruby Krajick	(BY) DEPUTY CLERK 	DATE 04/14/11
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Copy 1—Upon initiation of action, mail this copy to Director    Copy 3—Upon termination of action, mail this copy to Director  
 Copy 2—Upon filing document adding patent(s), mail this copy to Director    Copy 4—Case file copy

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
RATES TECHNOLOGY INC.,

Plaintiff

CASE NO. : 11-cv-1324(NRB)

v.

COX COMMUNICATIONS, INC.

Defendant

-----X

**NOTICE OF DISMISSAL WITH PREJUDICE**

Plaintiff, Rates Technology Inc., by its undersigned attorneys, pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(i), no answer or motion for summary judgment having been filed in this action, hereby gives notice of the dismissal of the above-captioned action, with prejudice, each party to bear its own costs and legal fees.

DATED: April 13, 2011

EPSTEIN DRANGEL LLP

By: 

Robert L. Epstein, Esq.  
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Attorneys for Plaintiff Rates Technology Inc

11. The United States government duly and legally issued United States Patent No. 5,425,085 (the "'085 Patent") for inventions relating to routing of telephone calls. A copy of the '085 Patent is attached as Exhibit "1", and the '085 Patent remains valid and enforceable.

12. At all relevant times, RTI has been the lawful owner of the '085 Patent, and has had the right to sue and to recover for any and all infringement(s) of such patent.

13. Upon information and belief, within the six years prior to the filing of this lawsuit, and continuing through the present date, Defendant Cox has infringed the '085 Patent within the United States, including without limitation through the building, maintenance and operation of telecommunications equipment which infringes the '085 Patent and the marketing, offering for sale and sale of IP network and cablevoice services provided on equipment which infringes the '085 Patent. RTI has a reasonable basis for making the allegations contained in this paragraph, and believes it is likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.

14. Upon information and belief, Defendant Cox has therefore infringed the '085 Patent within the United States, including without limitation through the building, maintenance and operation of telecommunications equipment which infringes the '085 Patent and the marketing, offering for sale and sale of IP network and cablevoice services provided on equipment which infringes the '085 Patent, and that the infringement of the '085 Patent has been willful and will continue unless rectified by this Court. RTI has a reasonable basis for making the allegations contained in this paragraph, and believes that it is likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.